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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,545	02/01/2002	Constantine J. Tsikos	108-087USANG0	3892

7590

07/28/2003

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EXAMINER

LE, THIEN MINH

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 07/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Notice of Allowability

Application No.

10/066,545

Examiner

Thien M. Le

Applicant(s)

TSIKOS ET AL.

Art Unit

2876

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_.
2. ☒ The allowed claim(s) is/are 33-67 and 69-75.
3. ☐ The drawings filed on \_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |  |   |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)  | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. ____.             |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. ____.               | 6 <input type="checkbox"/> Examiner's Amendment/Comment                             |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|  | 9 <input type="checkbox"/> Other  |

### SUPPLEMENTAL DETAILED ACTION

The preliminary amendment filed on 06/03/2002 and the information disclosure statement filed on 8/06/2002, have been entered.

As a preliminary matter, it is submitted that the preliminary amendment seeks to cancel the original set of claims 1-32, and adds a new set of claims 33-67, and 69-75; not claims 33-81 as submitted in the remark section of the preliminary amendment. Further, since a substitute specification has been filed, the newly submitted set of claims, claims 33-67, and 69-75, have been renumbered as claims 1-42 (herein referred to as claims 1-42).

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Nancy Short on July 21, 2003.

The application has been amended as follows:

In the claims,

Claim 47, line 1, replace " 31 " with - 42 --.

Claim 59, line 1, replace " 59 " with - 58 --.

Claim 69, line 1, replace " 68 " with - 67 --.

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Claim 70, ✓ replace " 68 " with -- 67 --.

Claim 71, ✓ replace " 68 " with -- 67 --.

Claim 72, ✓ replace " 68 " with -- 67 --.

Claim 73, ✓ replace " 68 " with -- 67 --.

Claim 74, ✓ replace " 68 " with -- 67 --.

Claim 75, replace " 68 " with -- 67 --.

### ***Allowable Subject Matter***

Claims 33-67, and 69-75 (renumbered as claims 1-42) are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The prior art fails to disclose a planar laser illumination and imaging (PLIIM) based system comprising:

A system housing having first, second, and third light transmission apertures linearly aligned;

A linear image formation and detection module;

A pair of planar laser illumination arrays (PLIAs);

And having the function and characteristics as recited in claim 1.

The prior art also fails to disclose the limitations of claims 42, 50, 58, and 67 (renumbered as claims 10, 18, 26, and 35 respectively).

### ***Conclusion***

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thien M. Le whose telephone number is (703) 305-3500. The examiner can normally be reached on Monday - Friday from 7:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5841 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



**Le, Thien Minh**  
**Primary Examiner**  
**Art Unit 2876**  
**July 21, 2003**